

REMARKS

This is in response to the office action dated July 8, 2003. Applicants wish to thank the Examiner for the careful review of the application. Applicants note the 5 statements in paragraphs 1, 2, 3, 4 and 6 of the office action to which no response is required.

Applicants note the claim objections in paragraph 12 of the office action but have chosen not to rewrite the claims as they are all believed to be allowable.

Claims 3 and 35 have been amended. Claim 3 has been amended so as to include a 10 "period" at the end of the claim. Claim 35 has been amended to delete the hot air heater.

In paragraph 5 of the office action, claim 3 was rejected under 35 U.S.C. 102(b) as being anticipated by Voss (US 3859408).

Applicants respectfully request reconsideration.

15 Voss teaches a tubular device set forth in the drawings having a sleeve portion 16 and a concavity portion 18. Sleeve portion 16 provides cooling in the case of thermal setting plastics. Col. 1, lines 61-65. Concavity portion 18 provides direct contact heating of a tubular article. It is respectfully suggested that the Patent Examiner's reasoning is incorrect for at least two reasons.

20 First, although the heating means 20 of Voss are not directly in contact with the tubular article, the unnumbered body of the concavity directly contacts and directly transmits heat to the tubular article. Therefore, Voss teaches a direct contact heater or put

another way Voss teaches a contact energy source. Second, floating plug 24 is not a floating mandrel, its just a plug.

In paragraph 7 of the office action claims 3 and 11-12 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Merck in view of Dougherty.

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Reconsideration of claims 3 and 11-12 is requested.

There is no suggestion in either of the references to combine them.

In connection with claim 11, the Examiner correctly states that Merck uses a non-contact energy source and a contact heater. Indeed, curing tubes 33 and 115 contact the 10 hose directly and are contact heaters. As understood they are part of larger devices such as jacket 37 in the case of curing tube 33.

The Patent Examiner then suggests in the rejection that a person skilled in the art would recognize that air as taught by Dougherty could be used as an alternative to the fluid of Merck. However, this ignores the structure of Merck totally. The weight of the 15 liquid filled hose, for example, the "fluid mandrel" must be supported or the hose will bend and sag. Heated tube 115 supports the "fluid mandrel" and without it (i.e., a microwave heater) a sag would occur. The Patent Examiner is suggesting that a person skilled in the art, based on the teachings of the references, would use air to replace the fluid within the hose of Merck and would also use microwave heaters instead of the fluid 20 filled jackets of Merck. However, the Patent Examiner does not identify the suggestion or motivation in either reference to combine them.

Therefore, it is respectfully suggested that Merck is a contact heater and that it is

designed to be a contact heater and must be a contact heater and that one skilled in the art would not look to combine it with a microwave heater. As such, claims 3 and 11 are patentable as well as claim 12 which is dependent on allowable claim 11.

5 **In paragraph 8 of the office action, claims 9 and 33-35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Merck in view of Dougherty, Hopkins, and the collective teachings of Gattrugeri and Kunz.**

Reconsideration of claims 9 and 33-35 is respectfully requested.

First there is no suggestion in any of the references to combine them.

10 Second, for the reasons stated above, Merck in view of Dougherty does not teach air supplied to the interior of the hose. Nor does Merck in view of Dougherty teach vulcanizing the hose from the outside to the inside using a non-contact energy source. Merck uses a contact energy source namely tubes 33 and 115.

15 Hopkins, Gattrugeri and Kunz do nothing more than illustrate that valves and check valves are known. It is respectfully suggested that bits and pieces of these references are being improperly used to attempt to arrive at the claimed invention.

20 **In paragraph 9 of the office action, claim 36 was rejected under 35 U.S.C. 103(a) as being unpatentable over Merck, Dougherty, Hopkins, Gattrugeri, and Kunz et al. as applied to claim 33 above, and further in view of Satzler.**

25 Claim 36 depends from allowable claim 33 and as such it is patentable. There is no suggestion or motivation to combine the teachings of any of the six patents cited in this rejection. Further, the specification of the instant invention at pages 5 and 6 describes the control of the diameter of the hose. The check valve of the instant invention does not control the diameter of the hose rather it controls the direction of air flow .

Reconsideration of claim 36 is requested.

In paragraph 10 of the office action, claim 17 was rejected under 35 U.S. 103(a) as being unpatentable over Tanaka in view of Merck and Dougherty.

5 Reconsideration of claim 17 is requested because of (at least) the deficiencies of Merck identified above. Merck is a contact heater. Claim 17 requires a non contact heater. There is no suggestion to combine the references.

A one month petition of time is submitted herewith and incorporated herein as page 11 of this document with authorization to charge deposit account 23-3060 for the 10 \$110 government fee. The filing of this amendment is believed timely as November 8, 2003 fell on a Saturday and November 10, 2003 is the next following business day.

Please contact the undersigned by phone if any matter in this application can be expedited or if there are any questions.

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